



City of Richmond

Formal Meeting Minutes

900 East Broad Street
Richmond, VA 23219
www.richmondgov.com/cityclerk

Monday, February 24, 2020

6:00 PM

Council Chamber, 2nd Floor - City Hall

Councilmembers Present

The Honorable Cynthia Newbille, President
The Honorable Chris Hilbert, Vice President (early departure)
The Honorable Andreas Addison
The Honorable Kim Gray
The Honorable Michael Jones (early departure)
The Honorable Kristen Larson
The Honorable Stephanie Lynch
The Honorable Ellen Robertson (early departure)
The Honorable Reva Trammell

President Cynthia Newbille called the meeting to order at 6:03 p.m., and presided.

Invocation was offered by Pastor Eric W. Carroll of the Ascension Church RVA, 9507 Hull Street Road, Richmond, VA 23236.

Members of Council and the audience recited the Pledge of Allegiance.

CHAMBER EMERGENCY EVACUATION PLAN AND CITIZEN SPEAKER GUIDELINES

Upon the President's request, Deputy City Clerk RJ Warren provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

APPOINTMENTS AND REAPPOINTMENTS

There were no appointment/reappointment items for consideration.

AWARDS AND PRESENTATIONS

There were no awards or presentations.

CITIZEN COMMENT

Ann-Frances Lambert addressed Council regarding the North Jackson Ward business corridor. Ms. Lambert expressed her concerns with a lack of healthy food options in the area and stated the primary option was a 24-hour convenient store. Ms. Lambert also stated the convenient store was a public safety concern due to late night loitering.

Beth Orcutt, on behalf of the Carytown Merchants Association, addressed Council regarding beautification needs in the Carytown shopping district. Ms. Orcutt stated due to heavy foot traffic, additional funding was necessary to address beautification needs such as flower displays and trash pick-up.

President Cynthia Newbille informed members that a discussion item regarding next steps relative to the Navy Hill area plan development process would be added as an agenda item to be addressed later that evening.

Interim City Attorney Haskell Brown confirmed the discussion item could be added through an amendment to the meeting's agenda.

Lola McDowell addressed Council regarding the National Education Association's Read Across America initiative and invited members to read to young students at Read Across America associated schools.

AGENDA REVIEW AND AMENDMENTS

Councilor Michael Jones moved to amend the agenda as follows:

ORD. 2019-275

To amend ch. 6 of the City Code by adding therein a new art. XII (§§ 6-596-6-602) to establish a technology zone program in accordance with Va. Code § 58.1-3850, for the purpose of facilitating the development and location of technology businesses in the city of Richmond, capital investment, and job creation.

To be continued to Monday, April 27, 2020

ORD. 2019-276

To amend City Code §§ 26-872, concerning definitions related to license taxes, and 26-989, concerning licenses taxes for personal services businesses, and to amend ch. 26, art. XV, div. de by adding therein a new section numbered 26-1003.1, concerning the license tax for technology businesses, for the purpose of creating a new business, profession, and occupation license category called "technology business" and imposing a new license tax on such businesses.

To be continued to Monday, April 27, 2020

RES. 2019-R050

To express the Council's support for implementing the Walmsley Boulevard extension project as recommended in the Richmond Regional Transportation Planning Organization's Commerce Corridor Study Implementation Plan.

To be amended and considered

RES. 2019-R068

To express the Council's support for certain goals in alignment with the Vision Zero traffic safety program that promote sustainability and equity in access to safe transportation.

To be continued to Monday, April 27, 2020

Council to receive and discuss information on an unsolicited bid offer regarding the Navy Hill Development area.

To be added to the agenda

The motion to amend the agenda was seconded and unanimously approved.

CONSENT AGENDA

The following ordinances and resolutions were considered:

ORD. 2020-011

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute appropriate documents releasing the Richmond Redevelopment and Housing Authority and its successors in interest from the reversionary right of the City contained in a certain quit claim deed concerning the properties formerly known as [1116] 1611 North 31st Street and 1501 North 31st Street for the purpose of allowing the Richmond Redevelopment and Housing Authority to develop portions of the properties as single-family residential units offered for sale to the public and to ensure that eight such parcels be developed as single-family affordable housing units offered for sale to qualified purchasers. (As Amended)

ORD. 2020-027

To grant to the County of Chesterfield, Virginia a temporary construction easement upon, over, under, and across a certain portion of the City-owned real estate known as 8850 West Huguenot Road.

ORD. 2020-028

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Lease Agreement between Enrichmond Foundation, as Lessee, and the City of Richmond, as Lessor, to allow Enrichmond Foundation to lease office and warehouse space at 1500 East Franklin Street.

ORD. 2020-029

To authorize the special use of the property known as 1301 North Hamilton Street for the purpose of a retail use accessory to an existing office use, upon certain terms and conditions.

ORD. 2020-031

To authorize the special use of the property known as 3114 Grayland Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

ORD. 2020-032

To amend and reordain Ord. No. 2006-130-115, adopted May 22, 2006, which authorized the special use of the property known as 3011 Meadow Bridge Road for the purpose of authorizing commercial uses, which may be operated on a social service delivery basis, and an accessory parking area, to modify the permitted uses, upon certain terms and conditions.

ORD. 2020-033

To authorize the special use of the property known as 2007 Cedar Street for the purpose of a multifamily dwelling containing up to five dwelling units, upon certain terms and conditions.

ORD. 2020-034

To rezone the property known as 2408 Ownby Lane from the M-2 Heavy Industrial District to the B-5 Central Business District.

ORD. 2020-035

To rezone the property known as 2413 Ownby Lane from the M-2 Heavy Industrial District to the B-5 Central Business District.

ORD. 2020-036

To rezone the properties known as 1601 Overbrook Road and 1611 Overbrook Road from the M-2 Heavy Industrial District to the B-5 Central Business District.

ORD. 2020-037

To authorize the Chief Administrative Officer to accept funds in the amount of \$375,000.00 from the United States Department of Justice; to amend the Fiscal Year 2019-2020 Special Fund Budget by

creating a new special fund for the Commonwealth's Attorney called the Commonwealth's Attorney's FY 2020 Elder Abuse Prevention Special Budget Fund; and to appropriate the grant funds received to the Fiscal Year 2019-2020 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Commonwealth's Attorney's FY 2020 Elder Abuse Prevention Special Budget Fund by \$375,000.00 for the purpose of reducing elder abuse in the city of Richmond.

ORD. 2020-038

To authorize the Chief Administrative Officer to accept funds in the amount of \$15,720.80 from the Virginia Department of Health, Office of Emergency Medical Services, and to appropriate the grant funds received to the Fiscal Year 2019-2020 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Fire and Emergency Services' Four for Life Program Special Fund by \$15,720.80 for the purpose of supporting West End Volunteer Rescue Squad, Inc.

ORD. 2020-040

To amend Ord. No. 2019-084, adopted Apr. 8, 2019, which declared that a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of constructing multimodal transportation and drainage improvements along Hull Street Road between its intersection with Hey Road and its intersection with Warwick Road, to authorize the acquisition of additional fee simple and easement interests for the project.

RES. 2020-R010

To approve an expenditure in the amount of \$1,000.00 from the Council District Funds for the Second District to make a donation to CodeVA, Inc., to support outdoor art galleries at various locations on Broad Street between North 3rd Street and Foushee Street for the display of art work in March and April, 2020, by students of Richmond Public Schools and children in the City's juvenile justice system.

RES. 2020-R011

To express the City Council's support for and request the Commonwealth Transportation Board to provide funding for the City's SMART SCALE candidate projects for 2020.

There were no comments or discussions and the **Consent Agenda was unanimously adopted with the exception of ORD. 2020-011, which was also adopted:** Ayes 8, Jones, Robertson, Larson, Lynch, Gray, Trammell, Addison, Newbille. Noes None. Abstentions 1, Hilbert (conflict of interest).

REGULAR AGENDA

The following ordinance was considered:

ORD. 2020-030

To authorize the special use of the properties known as 1600 West Broad Street and 1606 West Broad Street for the purpose of a mixed-use building containing up to 168 dwelling units, upon certain terms and conditions.

Mark Olinger, Planning and Development Review director, provided an introduction to ORD. 2020-030.

Opposition

Jonathan Marcus, West Grace Street Association member, RVA Coalition of Concerned Civic Associations president, spoke in opposition to ORD. 2020-030 and expressed his belief that the proposed ordinance did not follow the city's Pulse Corridor Plan.

Barry Scott, West Avenue Improvement Association mayor, spoke in opposition to ORD. 2020-030 due to the lack of available parking and the increased density the development would create. Mr. Scott stated the proposed development would negatively affect the way of life for citizens in the area.

Martha Warthen, Fan District Association code enforcement and zoning committee chair, spoke in opposition to ORD. 2020-030 and expressed her concerns with the development increasing traffic and parking congestion in the area.

Michael Larkin, West Grace Street Association member, spoke in opposition to ORD. 2020-030 and addressed improvements the West Grace Street Association made in the area. Mr. Larkin expressed his concerns that the proposed development presented an immediate and future risk to the progress made by the West Grace Street Association.

Jerry Beverage, Fan District Association president, spoke in opposition to ORD. 2020-030 and stated approval of the development was premature because the Pulse Corridor Plan was incomplete. Mr. Beverage expressed his concerns with added congestion due to limited parking availability.

Rex Scudder, West Grace Street Association member, spoke in opposition to ORD. 2020-030 and stated the project did not follow the Pulse Corridor Plan. Mr. Scudder expressed his concerns with the proposed development's compliance with city zoning requirements.

Bill Gallasch, Monument Avenue Preservation Society president, stated he was not opposed or in favor of the proposed development, but stated consideration should be delayed to collect additional input from those affected.

Julia Seward requested Council delay consideration of the proposed ordinance. Ms. Seward referenced other developments in the area and expressed her concern that too many rental units were being constructed.

Cindy Wofford requested Council delay consideration of the proposed ordinance. Ms. Wofford expressed her concerns with the number of bedroom units in the proposed development and potential for increased congestion.

Support

Adam Lockett spoke in support of ORD. 2020-030 and stated the project would provide more density housing. Mr. Lockett expressed his belief that the project would increase safety in the area due to the close proximity to public transit. Mr. Lockett also stated young professionals, not just students, would benefit from the additional housing opportunity.

David Johannas, City Planning Commission member, spoke in support of ORD. 2020-030. Mr. Johannas referenced the city's growth rate and stated additional housing options were necessary to accommodate increased housing demand. Mr. Johannas informed Council that the City Planning Commission unanimously supported the proposed ordinance.

Felipe Nacimiento spoke in support of ORD. 2020-030 and stated the proposed development would address increased housing demand in the area. Mr. Nacimiento expressed his belief that the development would decrease traffic by providing more housing opportunities within the city.

Fabrizio Fasulo spoke in support of ORD. 2020-030 and informed Council that it had a decision to make regarding the city's population increasing. Mr. Fasulo stated if Council decided to accommodate the increased population growth, then housing products that met all housing needs were necessary. Mr. Fasulo requested Council make future decisions regarding housing developments based on affordability and public transit, and not parking availability.

Stewart Schwartz, Partnership for Smarter Growth vice president, spoke in support of ORD. 2020-030 and stated the Partnership for Smarter Growth supported the development's limited parking availability. Mr. Schwartz stated additional parking was unnecessary due to the project's proximity to universities and public transit.

Chris Banks spoke in support of ORD. 2020-030 and stated it would provide ideal housing for young professionals.

Mark Kronenthal, Roth Jackson member, representing Opus Development Company, L.L.C., spoke in support of ORD. 2020-030 and stated the proposed development was a pedestrian specific project in accordance with the Pulse Corridor Plan. Mr. Kronenthal informed Council the Pulse Corridor Plan was adopted as an amendment to the city's Master Plan. Mr. Kronenthal stated the proposed development was a \$55,000,000 investment without any subsidized funding.

Dean Newins, Opus AE Group, L.L.C. senior vice president, spoke in support of ORD. 2020-030 and stated Opus AE Group, L.L.C. worked to improve pedestrian safety through design solutions.

Ben Angelo, Opus AE Group, L.L.C. vice president of real estate development, spoke in support of ORD. 2020-030 and stated the parking ratios provided by the development were appropriate. Mr. Angelo expressed his belief that limited parking availability would decrease vehicle traffic. Mr. Angelo also stated the density of the building would provide more affordable housing for both students and young professionals.

Councilor Kim Gray informed Council she could not support the proposed ordinance. Councilor Gray expressed her belief that Opus Development Company, L.L.C. attempted to address concerns raised by residents within the area, but she did not believe city administration engaged enough with residents affected by the proposed project.

Vice President Chris Hilbert expressed his support for ORD. 2020-030 and stated the development would create affordable housing for the city's young population. Vice President Hilbert also expressed his support for the development's close proximity to public transit. Vice President Hilbert requested Council's support for the proposed ordinance.

There were no further comments or discussions and **ORD. 2020-030 was adopted:** Ayes 7, Jones, Robertson, Larson, Lynch, Addison, Hilbert, Newbille. Noes 2, Gray, Trammell.

The following ordinance was considered:

ORD. 2020-039

To provide for the granting by the City of Richmond to the person, firm or corporation to be ascertained in the manner prescribed by law of certain easements upon, over, under, and across certain property located at 3301 Maplewood Avenue for the construction, installation, operation, maintenance, inspection, repair, replacement, and removal of telecommunications lines and associated appurtenances in accordance with a certain Right of Way Agreement.

President Cynthia Newbille summarized the bid offer for ORD. 2020-039 from Lumos Networks Inc., doing business as Segra.

Vice President Chris Hilbert exited the meeting at 7:23 p.m.

Paul McClellan, Department of Economic Development programs administrator, addressed ORD. 2020-039 and recommended Council approve the bid put forth by Segra.

There were no further comments or discussions and **Councilor Ellen Robertson moved to accept Segra's bid and to adopt ORD. 2020-039, which was seconded and approved:** Ayes 8, Jones, Robertson, Larson, Lynch, Gray, Trammell, Addison, Newbille. Noes None. Hilbert was excused.

President Cynthia Newbille informed members that Council would discuss information on an unsolicited bid offer regarding the Navy Hill development area. President Newbille also stated Council would discuss RES. 2020-R009 and its impact on the process moving forward on potential development in the Navy Hill development area.

Leonard Sledge, Department of Economic Development director, was available to address questions from Council regarding the unsolicited bid offer received.

Councilor Kim Gray inquired if city administration conducted an appraisal of the city-owned land referenced in the unsolicited bid offer and if the administration planned to declare the Coliseum surplus property.

Mr. Sledge informed Council that city administration had not moved forward to declare the Coliseum a surplus property and that city-owned land appraisal options were still being reviewed.

Councilor Stephanie Lynch inquired if the process moving forward on potential development projects referenced in RES. 2020-R009 should be finalized prior to reviewing any unsolicited bid offer.

President Cynthia Newbille summarized RES. 2020-R009 and stated Council Chief of Staff Lawrence Anderson would collaborate with city administration to determine a process moving forward on area plans and potential development.

Interim City Attorney Haskell Brown provided information regarding methods available to Council to dispose of city-owned property. Mr. Brown informed Council about requirements necessary to address the unsolicited bid offer received and options available to Council regarding any potential lease agreement of city-owned property.

Councilor Ellen Robertson requested a list of small area plans under consideration from city administration.

President Newbille informed Council she wanted a timeline by the March 9, 2020 Formal Council meeting that addressed RES. 2020-R009 and the process moving forward on potential developments.

Councilor Michael Jones exited the meeting.

MOTIONS

Councilor Stephanie Lynch moved that the ordinance entitled:

RES. 2019-R050

To express the Council's support for implementing the Walmsley Boulevard extension project as recommended in the Richmond Regional Transportation Planning Organization's Commerce Corridor Study Implementation Plan.

be amended as follows:

Page 1, Line 4

After the second occurrence of the word "the", delete the text "Walmsley Boulevard extension project" and insert the word "projects"

Page 1, Line 20

At the beginning of the line, strike the text "Walmsley Boulevard extension project, identified as 'H7.2: Walmsley Boulevard Extension,'" and insert the text "projects identified in the document entitled 'Commerce Corridor Study (2017), Richmond Regional Transportation Planning Organization (RRTPO), City of Richmond Recommended Potential Projects'"

Page 2, Line 6

After the comma following the word "WHEREAS", strike the text "the 'H7.2: Walmsley Boulevard Extension,' project is" and insert the text "all but three of the aforementioned projects are"

Page 2, Line 9

After the word "the", strike the text "the 'H7.2: Walmsley Boulevard Extension,' project" and insert the text "aforementioned projects"

Page 2, Line 12

At the beginning of the line, strike the text “‘H7.2: Walmsley Boulevard Extension,’ project” and the following period and insert the words “unfunded projects” followed by a semicolon

Page 2, Line 15

After the second occurrence of the word “the”, strike the text “‘H7.2: Walmsley Boulevard Extension,’ project” and the following comma and insert the text “projects identified in the document entitled ‘Commerce Corridor Study (2017 Richmond Regional Transportation Planning Organization (RRTPO), City of Richmond Recommended Potential Projects,’”

Page 3, Line 4

After the word “the”, strike the text “‘H7.2: Walmsley Boulevard Extension,’ project” and the following period and insert the text “unfunded projects identified in the document entitled ‘Commerce Corridor Study (2017), Richmond Regional Transportation Planning Organization (RRTPO), City of Richmond Recommended Potential Projects.’”

The motion was seconded and approved: Ayes 7, Robertson, Larson, Gray, Trammell, Addison, Newbille. Noes None. Hilbert and Jones were excused. **RES. 2019-R050, as amended, was considered.**

Councilor Andreas Addison provided additional information on the proposed resolution’s effect on infrastructure in the city.

Councilwoman Reva Trammell shared her appreciation of Councilor Addison’s work on RES. 2019-R050.

There were no further comments or discussions and **RES. 2019-R050, as amended, was adopted:** Ayes 7, Robertson, Larson, Gray, Trammell, Addison, Newbille. Noes None. Hilbert and Jones were excused.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Ellen Robertson moved to approve the minutes of the following Richmond City Council meetings: Navy Hill Development Proposal Public Hearing held on Wednesday, January 8, 2020 at 6:00 p.m., Navy Hill Development Proposal Public Hearing held on Thursday, January 9, 2020 at 6:00 p.m., Navy Hill Development Proposal Public Hearing held on Tuesday, January 14, 2020 at 6:00 p.m., Navy Hill Development Proposal Public Hearing held on Wednesday, January 15, 2020 at 6:00 p.m., Navy Hill Development Proposal Public Hearing held on Thursday, January 16, 2020 at 6:00 p.m., and Special Meeting held on Monday February 3, 2020 at 3:00 p.m.

The motion was seconded and approved: Ayes 7, Robertson, Larson, Gray, Trammell, Addison, Newbille. Noes None. Hilbert and Jones were excused.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

City Council will hold a public hearing on the following ordinance on Monday, March 9, 2020, at 6:00 p.m.:

ORD. 2020-045

To authorize the Chief Administrative Officer to accept funds in the amount of \$1,959.00 from the Virginia Department of Criminal Justice Services and to appropriate the increase to the Fiscal Year 2019-2020 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Justice Services’ Community Corrections special fund by \$1,959.00 for the purpose of funding staff development and the advancement of evidence based practices within the City’s community corrections program.

Patron: Mayor Stoney

This ordinance was introduced and committee referral waived pursuant to Rule VI(B)(3)(c).

City Council will hold a public hearing on the following ordinances and resolutions on Monday, March 23, 2020, at 6:00 p.m.:

ORD. 2020-046

To rezone the property known as 2925 Garland Avenue from the UB Urban Business District and the PE-7 Brookland Park Boulevard / North Avenue Parking Exempt Parking Overlay District to the R-6 Single-Family Attached Residential District.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, March 16, 2020, at 1:30 p.m.

ORD. 2020-047

To amend and reordain Ord. No. 2003-375-337, adopted Dec. 8, 2003, which authorized the special use of the property known as 1100-1102 West Cary Street and 20-22 South Harrison Street for the purpose of certain enumerated uses in accordance with such ordinance, to allow an outdoor pergola, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, March 16, 2020, at 1:30 p.m.

ORD. 2020-048

To authorize the special use of the property known as 3412 R Street for the purpose of two single-family attached dwellings and one single-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, March 16, 2020, at 1:30 p.m.

RES. 2020-R014

To request the Virginia Department of Transportation to amend the street mileage inventory for the City of Richmond.

Patron: Mayor Stoney

This resolution was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, March 17, 2020, at 1:00 p.m.

RES. 2020-R015

To modify the decision of the Commission of Architectural Review, which approved a certificate of appropriateness for the demolition of a certain portion of George Mason Elementary School located at 813 North 28th Street by adding to such certificate the approval to demolish a certain portion of such school constructed in 1922, upon certain terms and conditions.

Patron: President Newbille

This resolution was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, March 17, 2020, at 1:00 p.m.

RES. 2020-R016

To request that the Chief Administrative Officer cause the Director of Public Works to conduct a study and provide recommendations to the Council concerning how applicable laws and regulations might be lawfully amended to require contractors to provide protected walkways, crosswalks, bicycle lanes, shared-use paths, and trails for the purpose of further promoting the City's Vision Zero traffic safety program.

Patron: Mr. Addison and Mr. Jones

This resolution was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, March 17, 2020, at 1:00 p.m.

REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL

Members of Council provided reports and announcements regarding respective district meetings and activities.

Councilor Ellen Robertson exited the meeting at 8:15 p.m.

ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 8:27 p.m.

CITY CLERK